

Notice of Allowability

Application No.

10/780,821

Applicant(s)

TSAI, YI-SHIUAN

Examiner

James W. Cranson

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/11/2005.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☒ The drawings filed on 17 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Remarks and Amendment

Applicant's arguments, see statement of remarks, filed 07/11/2005, with respect to Office Action mailed 05/03/2005 have been fully considered and are persuasive. The rejection of claims 1 and 2 under 35 USC 102(b) as being anticipated by Patent 6,582,100 to Hochstein has been withdrawn. The rejection of claims 3 - 9 under 35 USC 103(a) as being unpatentable over Patent 6,582,100 to Hochstein has been withdrawn. The rejection of claims 10 -12 under 35 USC 102(b) as being anticipated by Patent 5,785,418 to Hochstein has been withdrawn. The rejection of claims 13 -19 under 35 USC 103(a) as being unpatentable over Patent 5,785,418 to Hochstein has been withdrawn. Applicant has amended independent claims 1 and 10.

Allowable Subject Matter

Claims 1- 19 are allowed.

The following is an examiner's statement of reasons for allowance: Claim 1 has been amended to specify that the thermal conductive element 500 is made of a soft material (such as a pad or a thermal conductive paste) which is not damaging to the LED, and the thermal coupling 52 is a thermal conductive material. The hard heat sink 54 in the cited prior art contacts the LED and is sandwiched between the soft thermal coupling 52 and the LED 20. In the instant application, the soft thermal conductive element 500 contacts the LED and is sandwiched between the LED and the heat-conducting portion 300. The thermal conducting element is made of a soft material that is not damaging to the LED. Therefore the structure of the prior art and the instant application are different and claim 1 is allowable over the prior art. Claims 2-9, depend from claim 1, add further limitations, and are allowable for the same reasons. Claim 10 has been amended to

specify that the thermal conductive element 500 is disposed in the through hole and sandwiched between the LEDs and the heat conducting portions. In the prior art, no element, as the soft thermal conductive, can be found in the through hole. Instead, only the LED lead is disclosed to be disposed in the through hole. Therefore the structure of the prior art and the instant application are different and claim 10 is allowable over the prior art. Claims 11-19, depend from claim 10, add further limitations, and are allowable for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James W Cranson whose telephone number is 571-272-2368. The examiner can normally be reached on Mon-Fri 8:30A.M. - 5:00P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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THOMAS M. SEMBER
PRIMARY EXAMINER